

**REMARKS**

Claims 1, 4 and 15 stand rejected under 35 U.S.C. § 102(e) allegedly as being anticipated by Frank et al. (US, 6,731,622).

Claims 1, 3, 15 stand rejected under 35 U.S.C. § 103(a) allegedly as being unpatentable over Frank et al. in view of Rakib et al. (US, US, 2003/0156603).

Claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) allegedly as being unpatentable over Frank et al. in view of Rakib et al., and in further view of Kuroyanagi et al. (US, 6,421,367).

Claim 16 stands rejected under 35 U.S.C. § 103(a) allegedly as being unpatentable over Frank et al. in view of Rakib et al. and Kuroyanagi et al., and further in view of Ogawa et al. (US, 6,728,305).

Claims 1, 3, and 12-16 stand rejected under 35 U.S.C. § 112, second paragraph, allegedly as being indefinite.

Claim 14 stands allowable if rewritten into independent form.

**Summary of the Response to the Office Action**

Applicants amend independent claim 1 by incorporating the features of dependent claims 13 and 14 to further define the invention, amend dependent claims 3, 12, 13, 15, and 16 to be consistent with the changes made to the independent claim 1, and cancel claim 14 without prejudice or disclaimer. Accordingly, claims 1, 3, 12, 13, 15, and 16 are presently pending for consideration, with claims 2 and 6-11 having been withdrawn. In addition, Applicants amend the Title of the Invention.

**Rejection of claims under 35 U.S.C. § 112, second paragraph**

Claims 12-16 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. On page 2 of the Action, the Office alleges that “claim 1 is vague and indefinite because it is not

sure if claim 1 is claiming a system claim or a method claim. Claim 1 appeared to be a hybrid claim, however, claim 1 does not recite any steps or means involved in the system or method/process, it is unclear what the system or method/process applicant is intending to encompass.” Applicants respectfully traverse these assertions at least for the following reasons.

Applicants amend claims 1 to further clarify the subject matter of invention. Applicants respectfully submit that amended independent claim 1 complies with 35 U.S.C. § 112, second paragraph, and respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

**All Claims Define Allowable Subject Matter**

Claims 1, 4 and 15 stand rejected under 35 U.S.C. § 102(e) allegedly as being anticipated by Frank et al., claims 1, 3, and 15 stand rejected under 35 U.S.C. § 103(a) allegedly as being unpatentable over Frank et al. in view of Rakib et al., claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) allegedly as being unpatentable over Frank et al. in view of Rakib et al., and in further view of Kuroyanagi et al., and claim 16 stands rejected under 35 U.S.C. § 103(a) allegedly as being unpatentable over Frank et al. in view of Rakib et al. and Kuroyanagi et al., and further in view of Ogawa et al. Applicants respectfully traverse the rejection for at least the following reasons.

The Office Action on page 8 admits that dependent claim 14 contains allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants amend independent claim 1 by incorporating the features of dependent claims 13 and 14. In addition, Applicants cancel claim 14 without prejudice or disclaimer. Accordingly, Applicants respectfully submit that rejection of claim 1 under 35 U.S.C. § 102(e) be withdrawn.

With respect to independent claim 1, as amended, Applicants respectfully assert that none of the cited prior art, whether taken singly or combined, teaches or suggests a communication method over a wireless communication network that includes at least a preamble block having “information about a phase, wherein an absolute phase and reverse spreading are determined from the information about the phase included in the preamble block, and detected absolute phase and reverse spreading are subjected to a phase correction and a frequency offset correction, then resultant data is demodulated by an absolute synchronizing detection.” Thus, Applicants respectfully assert that amended independent claim 1 clearly distinguishes over the cited prior art, therefore it should be allowed. Furthermore, Applicants respectfully assert that dependent claims 3, 12, 13, 15 and 16 are also allowable based on their dependency on allowable independent claim 1.

Accordingly, in light of the arguments presented above, Applicants respectfully request rejection of claims under 35 U.S.C. §§ 102(e) and 103(a) be withdrawn and claims 1, 3, 12, 13, 15, and 16 be allowed.

### **CONCLUSION**

In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant’s undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.R.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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